

Appl. No. 09/531,135
Amdt. Dated May 1, 2006
Reply to Office Action of February 1, 2006

Attorney Docket No. 81784.0027
Customer No. 26021

REMARKS/ARGUMENTS

Claims 1-11 are pending in the Application. By this Amendment, claims 1, 7 and 11 are being amended to improve their form in response to the rejection of such claims on formal grounds. No new matter is involved.

Entry of this amendment under the provisions of 37 C.F.R. § 1.116 as placing the application in condition for allowance or alternatively in better form for appeal, and reconsideration and allowance in view thereof, are respectfully requested.

In Paragraph 7 which begins on page 3 of the Office Action, claims 1, 7 and 11 are rejected under 35 U.S.C. § 112, 1st paragraph, as failing to comply with the written description requirement. According to the Office Action, claims 1, 7, and 11 set forth that after information charges are accumulated in the first and second light receiving pixels, the accumulated charges in those pixels are added together. Subsequently, after performing further accumulation of information charges in the first and second light receiving pixels, the information charges further accumulated in the first light receiving pixels are added together with previously added charges. The Office Action then states that nowhere in the disclosure is it recited, suggested, or implied that the further accumulated first light receiving pixels are added together with previously added charges. This rejection is respectfully traversed.

Figs. 6 and 9, and the descriptions at line 19 of page 12 through line 3 of page 15 of the Specification provide ample support for features in accordance with the present invention that: "a configuration in which, after information charges are accumulated in the first and second light receiving pixels, the accumulated charges in those pixels are added together, and, after performing further accumulation of information charges in the first and second light receiving pixels, information charges further accumulated in the first light receiving pixels and the previously added information charges are further added together". Again, a review of Figs. 6 and 9 in connection with the description at line 19 of page 12 through line 3 of page

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15 should make it very clear that these features as set forth in claims 1, 7 and 11 are amply supported by the Specification.

In Paragraph 9 on page 4 of the Office Action, claims 1, 7 and 11 are rejected under 35 U.S.C. § 102(e) as being anticipated by Yamanaka, et al. In this connection, Yamanaka is said to describe a configuration corresponding to adding signal D1' and signal D2' in an adder 26 to obtain signal D3. However, this assertion is not correct and the rejection on this basis is respectfully traversed.

As defined in claims 1, 7, and 11, the present invention includes the configuration in which the first and second light receiving pixels are driven such that, "after information charges are accumulated in the first and second light receiving pixels, the accumulated charges in those pixels are added together, and, after performing further accumulation of information charges in the first and second light receiving pixels, information charges further accumulated in the first light receiving pixels and the previously added information charges are further added together". According to this configuration, it is possible to generate a signal in which information charges accumulated in a plurality of potential wells are added together.

It should be noted that, in the embodiment described in the Specification, signal D2 is a signal obtained by the first half of the above-noted feature, namely, "after information charges are accumulated in the first and second light receiving pixels, the accumulated charges in those pixels are added together", while signal D3 is the signal obtained as a result of "adding information charges further accumulated in the first light receiving pixels and the previously added information charges". Signal D2 is the signal output from P2 by adding together information charges accumulated in a plurality of potential wells as described at line 19 of page 12 through line 3 of page 15 of the Specification.

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Yamanaka nowhere describes a configuration in which, "after information charges are accumulated in the first and second light receiving pixels, the accumulated charges in those pixels are added together, and, after performing further accumulation of information charges in the first and second light receiving pixels, information charges further accumulated in the first light receiving pixels and the previously added information charges are further added together". Further, Yamanaka nowhere mentions or suggests means for driving the first and second light-receiving pixels to attain such a configuration. Accordingly, the invention defined in the claims could not have been anticipated by Yamanaka, and claims 1, 7 and 11 are submitted to clearly distinguish patentably thereover.

In Paragraph 13 on page 9 of the Office Action, claims 2-6 and 8-10 are indicated as being allowed.

Thus, claims 1, 7 and 11 are submitted to clearly distinguish patentably over the prior art for the reasons discussed above. Claims 2-6 and 8-10 are allowed. Entry of this Amendment under the provisions of 37 C.F.R. § 1.116 as placing the Application in condition for allowance or alternatively in better form for appeal, and reconsideration and allowance in view thereof, are respectfully requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6846 to discuss the steps necessary for placing the application in condition for allowance.

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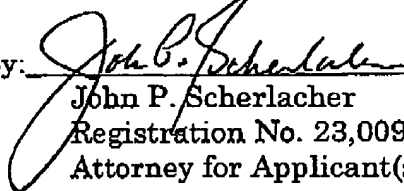
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If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: May 1, 2006

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